
STATUTORY INSTRUMENTS

2022 No. 186

INCOME TAX

CORPORATION TAX

STAMP DUTY LAND TAX, ENGLAND

The Designation of Freeport Tax Sites
(Solent Freeport) Regulations 2022

Made - - - - 28th February 2022
Laid before the House of
Commons - - - - 1st March 2022
Coming into force - - 22nd March 2022

The Treasury make the following Regulations in exercise of the powers conferred by section 113 of the Finance Act 2021⁽¹⁾.

The areas designated by these Regulations are either situated in a freeport or considered by the Treasury as being used, or likely to be used, for purposes connected with activities carried on, or likely to be carried on, in a freeport⁽²⁾.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Designation of Freeport Tax Sites (Solent Freeport) Regulations 2022 and come into force on 22nd March 2022.

(2) In these Regulations, a reference to an area “shown edged and hatched in red” on a map is a reference to the hatched area extending up to the red edging, but not including the red edging itself.

Designation of freeport tax sites

2.—(1) The following areas are designated as special areas⁽³⁾ for the purposes referred to in section 113(1)(a), (b) and (c) of the Finance Act 2021—

(1) 2021 c. 26.

(2) “Freeport” is defined in section 113(5) of the Finance Act 2021 (“FA 2021”). The relevant freeport for this designation is the area known as the “Solent Freeport”, which comprises the areas identified edged in blue on the map entitled “Solent Freeport” and dated 21st February 2022, published with the consent of the Treasury for the purposes of section 113 of FA 2021. The map is available electronically at <https://www.gov.uk/government/publications/maps-of-uk-freeports>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ.

(3) Areas so designated are known as “freeport tax sites” under section 113(3) of FA 2021.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) the areas shown edged and hatched in red on the map entitled “Dunsbury Park Tax Site” and dated 16th November 2021(4);
 - (b) the areas shown edged and hatched in red on the map entitled “Southampton Water Tax Site: Fawley Complex” and dated 21st February 2022(5);
 - (c) the area shown edged and hatched in red on the map entitled “Southampton Water Tax Site: Fawley Waterside” and dated 26th November 2021(6);
 - (d) the area shown edged and hatched in red on the map entitled “Southampton Water Tax Site: Marchwood Port & Strategic Land Reserve” and dated 26th November 2021(7);
 - (e) the areas shown edged and hatched in red on the map entitled “Southampton Water Tax Site: Redbridge” and dated 13th December 2021(8).
- (2) The designations made by paragraph (1) take effect on 22nd March 2022.

28th February 2022

Rebecca Harris
Michael Tomlinson
Two of the Lords Commissioners of Her
Majesty’s Treasury

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- (4) The map entitled “Dunsbury Park Tax Site” and dated 16th November 2021 is available electronically at <https://www.gov.uk/government/publications/maps-of-solent-freeport-tax-sites>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ. The areas designated are known as the “Dunsbury Park Tax Site”.
 - (5) The map entitled “Southampton Water Tax Site: Fawley Complex” and dated 21st February 2022 is available electronically at <https://www.gov.uk/government/publications/maps-of-solent-freeport-tax-sites>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ. The areas designated form part of the tax site known as the “Southampton Water Tax Site”.
 - (6) The map entitled “Southampton Water Tax Site: Fawley Waterside” and dated 26th November 2021 is available electronically at <https://www.gov.uk/government/publications/maps-of-solent-freeport-tax-sites>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ. The area designated forms part of the tax site known as the “Southampton Water Tax Site”.
 - (7) The map entitled “Southampton Water Tax Site: Marchwood Port & Strategic Land Reserve” and dated 26th November 2021 is available electronically at <https://www.gov.uk/government/publications/maps-of-solent-freeport-tax-sites>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ. The area designated forms part of the tax site known as the “Southampton Water Tax Site”.
 - (8) The map entitled “Southampton Water Tax Site: Redbridge” and dated 13th December 2021 is available electronically at <https://www.gov.uk/government/publications/maps-of-solent-freeport-tax-sites>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ. The areas designated form part of the tax site known as the “Southampton Water Tax Site”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations designate areas, known as “freeport tax sites”, as special areas for the purposes of Parts 2 (plant and machinery allowances) and 2A (structures and buildings allowances) of the Capital Allowances Act 2001 (c. 2) (“CAA 2001”) and Part 4 (stamp duty land tax) of the Finance Act 2003 (c. 14) (“FA 2003”).

Section 45O in Part 2 of CAA 2001 provides that expenditure incurred by a company on the provision of plant and machinery for use in a freeport tax site qualifies for enhanced capital allowances if certain conditions are met.

Section 270BNA in Part 2A of CAA 2001 provides that expenditure incurred on non-residential structures and buildings situated in a freeport tax site qualifies for an enhanced annual rate of structures and buildings allowances if certain conditions are met.

Section 61A in Part 4 of and Schedule 6C to FA 2003 provides for relief from stamp duty land tax for acquisition of land situated in a freeport tax site if certain conditions are met.

A Tax Information and Impact Note covering these instruments was published on 3rd March 2021 alongside Spring Budget 2021 and is available on the website at: <https://www.gov.uk/government/publications/designation-of-freeport-tax-sites/designation-of-freeport-tax-sites>. It remains an accurate summary of the impacts that apply to this instrument.